

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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X  
AMERICAN INSURANCE COMPANY a/s/o  
MARIAH CAREY,

Plaintiff,

Case No. 07 CIV 8604

-against-

**AFFIDAVIT  
OF FREDRICK WODIN**

CORN ASSOCIATES, LLC, THE FRANKLIN TOWER  
CONDOMINIUM, KATZ METAL FABRICATORS, INC.,  
OLYMPIC PLUMBING AND HEATING III CORP.,  
And SAMCO PLUMBING, INC.,

Defendants.

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X

STATE OF NEW YORK )  
                        )  
COUNTY OF NEW YORK) ss:

Fredrick Wodin, being duly sworn deposes and says:

1.         That I am the Vice President of the Board of Managers for The Franklin Tower Condominium, a defendant in the above captioned lawsuit.
2.         That annexed to this Affidavit as Exhibit "A" is a true and accurate copy of the Declaration Establishing a Plan for Condominium Ownership of the Premises known as and by the Street Number 90 Franklin Street, New York, New York and of the By-Laws of The Franklin Tower (the By-Laws may be found at page 24 of this document) as of December 1999. The By-Laws have not been amended.
3.         That annexed as Exhibit "B" is a true and accurate copy of the Condominium Offering Plan, which was used in connection with Mariah Carey's June 2000 purchase of Units 16 and 17 and also in connection with Sinclair C.S. Beecham's March 2000 purchase of Unit 13.

4. That annexed as Exhibit "C" is a true and accurate copy of the Unit Deed for Units 16/17, the Mariah Carey units.

5. That annexed as Exhibit "D" is a true and accurate copy of the Unit Deed for Unit 13, the Sinclair Beecham units. (Mr. Beecham sold Unit 13 in 2007).

6. That in connection with purchasing their respective condominium units, Ms. Carey and Mr. Beecham were required to execute the Purchase Agreement found within the Condominium Offering Plan at page 127.

Dated: New York, New York  
June , 2008

  
Fredrick Wodin

Sworn to before me this  
4 day of June, 2008

  
Notary Public

